

RECORD OF PROCEEDINGS

MINUTES OF THE BOARD OF WATER COMMISSIONERS

OPEN SESSION

April 24, 2013

A duly called Regular Meeting of the Board of Water Commissioners was held Wednesday, April 24, 2013, beginning at 9:24 a.m. in the Board Room, Room 309, 1600 West 12th Avenue, Denver, Colorado. Members of the Board present during the Regular Meeting were:

H. Gregory Austin, President
Paula Herzmark, Vice President
Penfield W. Tate, III, Vice President

Board employees and others present during portions of the Meeting were:

J.S. Lochhead, CEO/Manager	P.L. Wells, General Counsel
A.C. Bricmont, Director of Finance	D.L. Little, Director of Planning
S.C. Covington, Director of Public Affairs	T.E. Lowe, Acting Director of Customer Relations
B.D. Good, Deputy Manager of Organizational Improvement	T. Roode, Director of Operations and Maintenance
R.J. Mahoney, Director of Engineering	C.R. Dermody, Director of Information Technology
C. Elam-Floyd, Director of Human Resources	P.A. Carey, Manager of Purchasing and Contracting
U. Sharma, Treasurer	P.B. Coleman, Chief Internal Auditor
M.K. Frishman, Attorney	G. Fisher, Manager of Demand Planning
T.L. McGuire-Collier, Assistant Director of Public Affairs – Communications and Marketing	M. Price, Division Office Business Manager
T. Bryant, Controller	G. Moore, Engineering Specialist
D.M. Hamm, Staff Analyst	A. Strasser, Manager of Treated Water Planning
M. Walker, Attorney	S. Dominick, Water Resource Engineer
D. Brinker, Engineer	L. Kaatz, Environmental Scientist
	J. Martin, Engineer

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R. Martinez, Manager of Emergency Response	J. Murray, Recycled Water Program Manager
B. Reum, Manager of Geospatial Information and Technology	T. Bray, Environmental Scientist
K. Balu, Contract Specialist	P. Daukas, Manager of Environmental Planning
J. Spitze, IT Project Manager	M. Waage, Manager of Water Resource Planning
T. Boffa, IT Application Developer	B. Baltz, IT Application Developer
D. Wyman, Distribution Projects Coordinator	V. Gaiter, Engineering Specialist
R. Steger, Manager of Raw Water Supply	D. Higham, Recycled Water Compliance Technician
S. Niemi, Rate Analyst	D. Portillo, Water Resources GIS Coordinator
E. Helgeson, Rate Analyst	M. Hilton, IT Quality Assurance Analyst
W.C. Austin, Manager of Safety and Security	
Dick Kuchenrither, University of Colorado professor	Austa Parker, University of Colorado student
Alison Ling, University of Colorado student	Alan Schnur, The Schnur Consulting Group
Miranda Johnson, University of Colorado student	Jim Purvis, The Schnur Consulting Group

Commissioner Austin called the meeting to order.

Upon motion regularly made, seconded and unanimously carried, Commissioners Lucero and Gougeon were found to be absent for substantial cause and were excused.

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Upon motion regularly made, seconded and unanimously carried by the Commissioners then present, unless otherwise noted, the Board acted upon the following agenda items:

1. ITEM 2-A-1: FIRST AMENDMENT TO AGREEMENT WITH PATTON BOGGS, LLP

Authorized the First Amendment to Agreement 14118A with Patton Boggs, LLP, for consultation services related to permitting for the Gross Reservoir expansion project and other governmental affairs issues. The Amendment extends the Agreement through April 20, 2014, and adds compensation of \$68,000.00, for a total amended contract amount not to exceed \$136,000.00. The Amendment is attached to and incorporated in these Minutes as Exhibit "A."

2. ITEM 2-A-2: MEMORANDUM OF UNDERSTANDING BETWEEN DENVER HEALTH AND HOSPITAL AUTHORITY, DENVER PUBLIC HEALTH, AND DENVER WATER FOR A CLOSED POD

Approved Contract 14778A, a Memorandum of Understanding ("MOU") with Denver Health and Hospital Authority and Denver Public Health for a Closed Point of Dispensing, which provides for medications to be distributed to Denver Water employees and their family members within 48 hours of a public health emergency declaration. The distribution of medications is intended to ensure the continuity of Denver Water operations. There is no cost to Denver Water associated with the MOU.

3. ITEM 2-A-3: AGREEMENT WITH RJH CONSULTANTS, INC., FOR THE ANTERO DAM REHABILITATION DESIGN

Approved Agreement 15000A with RJH Consultants, Inc., for the Antero Dam Rehabilitation Design Project in the amount of \$617,405.00, which is attached to and incorporated in these Minutes as Exhibit "B."

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4. **ITEM 2-A-4: AMENDMENT TO WATER SERVICE AGREEMENT WITH CHERRY CREEK VALLEY**

Approved the Amendment to Water Service Agreement MM 174 with Cherry Creek Valley Water and Sanitation District, to allow the transfer of responsibility for water service between the parties when a property is the customer of one party but is located closer to the facilities of the other party. The Amendment is attached to and incorporated in these Minutes as Exhibit "C."

A map showing the first property that will benefit from the Amendment is attached to and incorporated in these Minutes as Exhibit "D." The property is in the City and County of Denver, but it is closer to facilities of the District. Under the amended agreement, the District will serve the property.

5. **ITEM 2-A-5: REVISION TO BOARD OPERATING RULE 4.04.3 REGARDING OPERATIONAL REQUIREMENTS FOR THE USE OF RECYCLED WATER**

Revised Operating Rule 4.04.3 to bring Denver Water's requirements regarding the use of recycled water into closer alignment with state regulations and to make it easier for customers to comply with the rule. The revised rule is attached to and incorporated in these Minutes as Exhibit "E."

6. **ITEM 2-A-6: FIRST AMENDMENT TO EMPLOYER OF THE FUTURE CONSULTING AGREEMENT**

Authorized additional funds of \$168,000.00 for Agreement 14516A with The Schnur Consulting Group to provide consulting services for the Board's Employer of the Future Initiative, for a total amended contract amount not to exceed \$368,000.00.

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7. ITEM 2-A-7: DYNAMIC STREAM TEMPERATURE MODELING FOR THE MOFFAT COLLECTION SYSTEM PROJECT

Authorized Agreement 15003A with Miller Ecological Consultants, Inc., for dynamic stream temperature modeling for the Moffat Collection System Project, for a total contract amount not to exceed \$200,000.00, which is attached to and incorporated in these Minutes as Exhibit "F."

No further business appearing, the Board adjourned the Action portion of the meeting at approximately 9:55 a.m.

STUDY SESSION

The Study Session consisted of a presentation on the RTD FasTracks project by Mr. Wyman; a presentation on new supply development and the recycled water program by Ms. Murray, Mr. Waage, and Mr. Little; a presentation on geographic information systems by Mr. Spitze; and a first quarter update on the Lean program by Mr. Good, Mr. Helgeson, and Mr. Roode.

Mr. Little, Mr. Fisher, and Mr. Steger provided an update on the drought. Mr. Fisher addressed the recent snowfall and its effect on snowpack in the Colorado River and South Platte River basins. Staff will receive the official snowpack readings May 1, 2013. Reservoir storage projections are expected to be available May 10, 2013. Staff will not know the full impact of the recent storms on reservoir storage until July 1, 2013, when the runoff has normally passed. Mr. Fisher noted that all of Colorado remains under some form of drought.

Mr. Fisher recommended staying the course on Denver Water's drought response for now. Staff will check in with the Board regarding the drought response at the Board meeting on May 22, 2013.

Ms. Wells explained that the Board has flexibility to adjust any part of the Stage 2 drought declaration. Additionally, Mr. Lochhead noted that any change to

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the planned drought pricing would directly impact the rate adjustment that was planned for 2014.

Mr. Steger explained that staff had reconsidered draining Antero Reservoir this year, due to the recent snowfall. The primary reason not to drain the reservoir is that it refills very slowly. Mr. Fisher explained that the decision whether to drain Antero Reservoir is not related to the mandatory watering restrictions the Board put in place due to the drought.

The Study Session concluded at 11:34 a.m., at which time the Board voted unanimously to adjourn into Executive Session.

EXECUTIVE SESSION

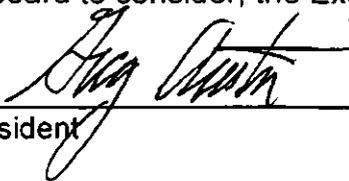
On Wednesday, April 24, 2013, commencing at 11:39 a.m. in the Board Room, Room 309, 1600 West 12th Avenue, Denver, Colorado, the Board of Water Commissioners met in Executive Session. The following matters, which are authorized by C.R.S. § 24-6-402 or D.R.M.C. § 2-34, were discussed during the Executive Session:

1. Litigation § 24-6-402(4)(b)
2. Attorney-Client Matters § 24-6-402(4)(b)
3. Negotiations § 24-6-402(4)(e)

There being nothing further for the Board to consider, the Executive Session concluded at 12:11 p.m.



Secretary



President